

**REMARKS**

Claims 22-32, 34-39, 43 and 44 are pending in the application. By this Amendment, claims 22-27, 32, 35 and 37 are amended. Reconsideration and withdrawal of the rejections in view of the foregoing amendments and the following remarks is respectfully requested.

By this Amendment, claims 22-27, 32, 35 and 37 are amended to address formality issues and to clarify the meaning of the claims. As such, the amendments do not raise any new issues which would require further consideration and/or search. Accordingly, entry of the Amendment is respectfully requested.

**I. FORMAL MATTERS**

A. The Drawings

The Office Action objects to the drawings because certain features recited in the claims are not depicted in the drawings. By this Amendment, claims 22-26 are amended to obviate the objection.

In addition, Applicants note that the “bearing surface of the recess of the closing member” (as recited in claim 26) is shown in the drawings. In Figures 2 and 3, the recess in the closing member is identified by the dashed line identified with reference number 71. The bearing surface would be the side of the recess that pushes against the locking head when one attempts to open the door. In Figures 2 and 3, this would make the bearing surface the right-most surface of the recess identified by the dashed line identified with reference number 71.

In view of the foregoing, withdrawal of the objection to the drawings is respectfully requested.

B. Claims Objections

The Office Action objects to claims 27, 32, 35 and 37 on various grounds. By this Amendment, claims 27, 32, 35 and 37 are amended to obviate the objections. Withdrawal of the objections is respectfully requested.

C. Rejections Under §112

In addition, the Office Action rejects claims 23-27 and 31 under 35 U.S.C. §112, second paragraph, as allegedly indefinite. The rejections are respectfully traversed.

With respect to claim 23, the claim has been amended to obviate the rejection.

With respect to claim 24, the language of the claim is intended to recite that when the child safety feature is activated, a first portion of the locking head is inserted into a recess on the closing member, and a second portion of the locking head is inserted into either (1) a recess on a portion of the door; (2) a recess on a sidewall of the frame; or (3) a recess on a control panel. Operationally, it does not matter which part of the door the recess is located upon. In view of the foregoing, it is respectfully submitted that the meaning of this claim is clear, and that the claims would be readily understood by one of ordinary skill in the art.

With respect to claim 25, Applicants first note that claim 25 has been amended to remove any reference to the edge of the closing member. In addition, the specification explains that when the child safety feature is deactivated, the locking head is located outside the recess of the closing member, which allows the closing member to move to the position which allows the door of the appliance to be opened. The specification also explains that the locking head is moved to this position by the user to deactivate the child safety feature. In the embodiment illustrated in Figures 2 and 3, the locking head 74 is mounted on a rotatable shaft 76, and the user would push an adjusting lever 82 to rotate the shaft, and thereby cause the locking head 74 to be removed from the recess 71 on the closing member 12. See the substitute specification at paragraphs 60 and 61.

With respect to claim 26, Applicants first note that claim 26 has been amended to remove any reference to the edge of the closing member. In addition, a locking head having a conical shape, as recited in this claim, is illustrated in Figure 7. The specification explains that when a conical shaped locking head is used, applying a large force to the door handle in the opening direction will generate a normal force that acts on the locking head to cause the locking head to be ejected from the recess in the closing member. See the substitute specification at paragraphs 55 and 56. In some

embodiments, the conical shaped locking head may be formed by a notched arrangement, as illustrated in Figure 7. In other embodiments, the locking head might have a smooth conical shaped surface.

With respect to claim 27, the elements recited in this claim, and how they interact, are depicted in Figures 2 and 3. Figure 2 shows the door lock in the open position. The gripping device 20 has a rear surface 44 which bears against a vertical surface 28 of the frame at a "contact point." This keeps the closing spring 16 tensioned, and also keeps the gripping device in the rotational position illustrated in Figure 2.

When it is time to close the door, the door is moved forward (to the right in Figures 2 and 3) so that the hook 49 comes to bear against the contact surface 42 of the gripping device 20. Further movement of the door to the right will cause the hook 49 to push against the contact surface 42 of the gripping device 20, which rotates the gripping device 20 in the counterclockwise direction. After a certain amount of counterclockwise rotation of the gripping device 20, the slide edge 30 of the gripping device 20 will pass the lower edge of the vertical surface 28, which allows the gripping device 20 to be pushed to the left under the action of the closing spring 16. As a result, the door lock assumes the configuration illustrated in Figure 3. The "new position" recited in claim 27 is the new rotational and translational position of the gripping device 20 illustrated in Figure 3.

With respect to claim 31, it is respectfully submitted that claim 31 is directed to an embodiment as illustrated in Figures 2 and 3. The fact that this claim also recites that the handle includes a gripping shell does not negate this fact. An appliance with a door lock as depicted in Figures 2 and 3 could have a gripping shell just as the embodiment illustrated in Figure 8 does.

In view of all of the foregoing explanations, it is respectfully submitted that the rejected claims are definite and would be well understood by those of ordinary skill in the art. Accordingly, withdrawal of the rejection under §112, second paragraph, is respectfully requested.

**II. THE CLAIMS ARE ALLOWABLE OVER DIRNBERGER**

The Office Action rejects claims 22-25, 28-32, 34-39, 43 and 44 under 35 U.S.C. §102(b) over Dirnberger (German Patent Publication No. 19601228). The rejection is respectfully traversed.

Independent claim 22 is directed to an electric household appliance which includes a receptacle for receiving items, a door permitting access to the receptacle and a door lock for the door. Claim 22 recites that the door lock has a frame with an opening for a hook, a closing member moveably mounted in the frame and a closing spring disposed between the closing member and a counter-bearing in the frame. The door lock further includes a gripping device and a closing member which is operatively connected to the gripping device. Claim 22 further recites a means for selectively blocking movement of the closing member, the blocking means being selectively positionable between a first position in which the blocking means blocks movement of the closing member and a second position in which the blocking means does not block movement of the closing member.

The Dirnberger reference discloses a latching or locking mechanism which includes a moving or rotatable latching member 84 which is rotatably mounted on a moveable door 86. As shown in Figures 5 and 6, when the door of an appliance is closed, the door and moveable lock mechanism move from the position shown in Figure 5 to the position shown in Figure 6.

The Office Action asserts that the element identified with reference numeral 84 corresponds to the claimed hook, and that the item identified with reference numeral 12 corresponds to the claimed closing member. The Office Action further asserts that the handle 92 shown in Figure 5 of Dirnberger corresponds to the claimed gripping device. Applicant respectfully disagrees.

Claim 22 recites a closing member which is operatively connected to the recited gripping device. Following the logic set forth in the Office Action, this would require that the handle 92 shown in Figure 5 of Dirnberger (corresponding to the claimed gripping device) be connected to the element identified with reference numeral 12 in

Dirmberger (corresponding to the claimed closing member). Clearly, these elements are not operatively connected.

The Office Action asserts that the handle 92 is connected to the element identified with reference number 12 via the door 86. While it may be true that all of the elements are connected to one another via some combination of intervening elements, it is not true that the handle 92 is operatively connected to the element identified with reference number 12 in any meaningful or operative fashion. Under this logic, one could say that a computer screen on a desk is operatively connected to an office door because the computer screen is on a desk, the desk rests on the floor, the floor leads to the wall, hinges are mounted on the wall and the door is connected to the hinges. While it is true that all those connections are present, the computer screen is clearly not operatively connected to the door.

Because the Dirmberger reference fails to disclose or suggest an appliance that includes a gripping device and a closing member which is operatively connected to the gripping device, as recited in claim 22, it is respectfully submitted that claim 22 is allowable.

Claims 23-25, 28-32, 34-39, 43 and 44 all depend from claim 22 and are allowable for at least the reasons discussed above. The dependent claims also recite additional features which are also not shown in the references of record.

For instance, claim 24 recites that the means for selectively blocking movement comprises a locking head, and that when the means is in the first position, the locking head is inserted in a recess of a portion of the door such that any forces applied to the locking head are transferred to the recess. The logic of this arrangement is discussed above.

In the Dirmberger reference, the element which would correspond to the claimed locking head is identified with reference number 14. As shown in Figure 2 of Dirmberger, when element 14 is in a first position it blocks movement of element number 12, which corresponds to the claimed closing member. When element 14 is moved to the position illustrated in Figure 1, element 14 no longer blocks movement of the closing

member 12. However, at no time is element 14 inserted into a recess of the door, sidewall, or control panel so that forces applied to element 14 are transmitted to the recess. Certainly when element 14 is located in the position shown in Figure 2, which would correspond to the claimed blocking means being in the first position, element 14 is not engaged with a recess in a frame, door or control panel. It is respectfully submitted that claim 24 is also allowable for these additional reasons.

Claim 28 recites that the blocking means comprises a locking head fixed to a pivoted shaft by means of a pivoted lever so that the locking head can execute a rotary motion between the first position and the second position. As described above, the element in Dirnberger which would correspond to the claimed locking head is element number 14. This element traces out a translational movement in a direct line. Element 14 never makes any type of pivoting movement when it moves between the position shown in Figure 1 and the position shown in Figure 2. It is respectfully submitted that claim 28 is also allowable for these additional reasons.

Claim 29 depends from claim 28 and is allowable for the additional reasons discussed above in connection with claim 28. Claim 29 further recites that the means for selectively blocking also includes a spring acting against a restoring lever to apply a restoring moment to the pivoted shaft, so that the means for selectively blocking is biased towards the first position with the child safety features activated. In contrast, in the Dirnberger mechanism, a spring 54 biases element number 14 towards the open position shown in Figure 1 of Dirnberger, not the closed position shown in Figure 2. It is respectfully submitted that claim 29 is also allowable for these additional reasons.

Claims 35 and 36 depend from claim 22 and recite that the means for selectively blocking further comprises an actuating lever and that the actuating lever is pressed into the first position by a spring. As noted above, the spring in the Dirnberger mechanism does not push the actuating lever (element 14) into the first (locked) position, but rather into the second, unlocked position. It is respectfully submitted that claims 35 and 36 are also allowable for these additional reasons.

Claim 43 depends from claim 22 and further recites that the closing spring biases the closing member towards a locked position. As noted above, Dirnberger fails to disclose or suggest such a structure.

In view of all the foregoing, withdrawal of the rejections of claims 22-25, 28-32, 34-39, 43 and 44 is respectfully requested.

**III. CLAIMS 22 AND 27 ARE ALLOWABLE**

The Office Action rejects claims 22 and 27 under 35 U.S.C. §103(a) over Nozomu (U.S. Patent No. 3,799,596), in view of Dirnberger. The rejection is respectfully traversed.

Claim 22 is allowable over Dirnberger for all the reasons discussed above. Claim 27 depends from claim 22 and is likewise allowable over Dirnberger for all the reasons discussed above. Nozomu fails to cure the deficiencies of Drinberger. Accordingly, it is respectfully submitted that claims 22 and 27 are allowable. Withdrawal of the rejection is respectfully requested.

**IV. CLAIM 26 IS ALLOWABLE**

The Office Action rejects claim 26 under 35 U.S.C. §103(a) over Dirnberger, in view of Devereaux (U.S. Patent No. 2,046,612). Claim 26 depends from claim 22 and is allowable over Dirnberger for all the reasons discussed above. Devereaux fails to cure the deficiencies of Dirmberger. Accordingly, it is respectfully submitted that claim 26 is allowable. Withdrawal of the rejection of claim 26 is respectfully requested.

**VII. CONCLUSION**

In view of the above, entry of the present Amendment and allowance of Claims 22-32, 34-39, 43 and 44 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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